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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, DECEMBER 22, 1998

APPLICATION OF

CASE NO. PUC980182

VIC-RMTS-DC, L.L.C.
d/b/a OnePoint Communications

For a waiver of price ceilings for
certain nonrecurring charges and
interim authority

ORDER INVITING COMMENTS

On November 30, 1998, VIC-RMTS-DC, L.L.C., d/b/a OnePoint Communications ("OnePoint") filed its Application for a Waiver of Price Ceilings for Nonrecurring Charges and for Interim Authority to implement revised service charges pending a final order of the Commission ("Application"). The Application requests the Commission to waive the price ceilings for line connection and line conversion charges, and to permit OnePoint to implement such changes for new customers effective December 24, 1998, subject to refund, pending a final order by the Commission. OnePoint requests this waiver of the price ceilings pursuant to the Commission's Rules Governing the Offering of Competitive Local Exchange Telephone Service, 20 VAC 5-400-180 ("Rules").

Section D.3.d of the Rules authorizes the Commission to permit pricing structures that do not conform with the price

ceilings unless there is a showing that the public interest will be harmed.

OnePoint asserts that a higher than anticipated percentage of its customers subscribe to only basic local telephone exchange services rather than a discounted, bundled communications package, and desires to restructure its nonrecurring service charges to respond to customer demand. OnePoint believes that it needs such pricing flexibility in order to continue to serve the residential market and to compete.

Because OnePoint's revised charges would apply only to new service connections, and because an interim increase would be subject to refund should the Commission not grant a permanent waiver of price ceilings for line connection and conversion service charges, the Commission finds that the public interest will not be harmed by granting OnePoint interim authority to revise its tariffs as proposed. However, the Commission believes consumers should be informed about such service charges before agreeing to take telephone service from OnePoint. The Commission does not want customers to become aware of the charges only upon receiving their first bill. Therefore, we find that OnePoint should insure that its customers are informed of these charges at the time the order for service connection is placed.

Further, the Commission has concluded that interested parties should be offered the opportunity to comment on OnePoint's request for a permanent waiver of the price ceilings for the specified service charges. In light of this, the Commission invites comments concerning OnePoint's Application. Accordingly,

IT IS THEREFORE ORDERED THAT:

(1) OnePoint is granted interim authority effective December 24, 1998, to increase its nonrecurring service charges for New Line Connections and Conversions as described in its Application. The increases shall be subject to refund if the Commission does not grant a waiver of price ceilings by final order, and in no event shall OnePoint's customers be required to reimburse the Company for discounted or waived charges applied under the interim rates approved herein.

(2) Comments concerning OnePoint's Application, requests for a hearing, or both, may be filed with the Clerk of the Commission, c/o Document Control Center, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, on or before February 26, 1999. Such comments or requests for hearing should refer to Case No. PUC980182.

(3) OnePoint shall furnish a copy of its Application to any person who requests one.

(4) OnePoint shall publish once on or before January 23, 1999, as classified advertising, a notice of its Application in daily newspapers of general circulation in Virginia as follows:

NOTICE BY ONEPOINT
COMMUNICATIONS THAT IT SEEKS A WAIVER OF
PRICE CEILINGS FOR NONRECURRING
SERVICE CHARGES
CASE NO. PUC980182

On November 30, 1998, VIC-RMTS-DC, L.L.C., doing business as OnePoint Communications ("OnePoint") filed an Application with the Virginia State Corporation Commission ("SCC") seeking a waiver of Commission Rules to increase its nonrecurring service charges for new line connections and conversions. If the waiver is granted, these service charges may be higher than those charged by the incumbent local exchange carrier.

The SCC invites comments or requests for a hearing concerning OnePoint's Application. Comments or requests for a hearing should be addressed to the Clerk of the Commission, c/o Document Control Center, First Floor, Tyler Building, 1300 East Main Street, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219. Such comments or requests for hearing should refer to Case No. PUC980182 and must be filed on or before February 26, 1999.

Any person desiring a copy of OnePoint's Application may order one by contacting OnePoint's attorney, David W. Clarke, Esquire, P.O. Box 796, Richmond, Virginia 23218, telephone number (804) 775-3805.

VIC-RMTS-DC, L.L.C. D/B/A ONEPOINT
COMMUNICATIONS.

(5) OnePoint shall also deliver the above-described notice of its Application to all of its Virginia customers through a bill insert or direct mail notice on or before January 23, 1999.

(6) This matter is continued generally.